

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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LAWRENCE GREGORY BURNS,

Plaintiff,

v.

TRAVIS McCANN, BREANNA THEN,  
RICKY HAGEN, DAN OATES,  
and D. BORGARO,

Defendants.

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ORDER

21-cv-302-jdp

Plaintiff Lawrence Gregory Burns, proceeding without counsel, is suing correctional officers at the Eau Claire County jail for excessive force. In an August 29, 2024 order I denied Burns's motion to compel discovery. Dkt. 137. Burns filed a document titled "Motion to Renew Motion to Compel," Dkt. 148, which isn't a standalone motion to compel discovery but rather a request to reconsider my decision denying his previous motion to compel.

Burns essentially states that he cannot comply with the specific directions I gave him because he is proceeding without counsel, and that I and defendants should construe his filings more generously. I have already construed his filings generously but he is still required to follow the Federal Rules of Civil Procedure and this court's instructions about conducting discovery. I will deny his motion for reconsideration. If he chooses to file another motion to compel he must follow the instructions in my previous order.

Also, for the most part, Burns still has not met his obligation to meet and confer with defendants; his March 22, 2024 letter to counsel does not represent a good-faith effort to respond to defendants' discovery objections. Dkt. 136-2. But he does point out that flash drives that defendants have sent him "are not compatible." *Id.* I take him to be saying that he cannot

open those drives on prison computers. Defendants may have until September 30, 2024, to contact staff at KMCI about the issue with their flash drives, if necessary provide Burns with a new compatible copy, and report back to the court about counsel's efforts to fix that problem.

ORDER

IT IS ORDERED that:

1. Plaintiff Lawrence Gregory Burns's "Motion to Renew Motion to Compel," Dkt. 148, is DENIED.
2. Defendants may have until September 30, 2024, to respond to this order as directed above.

Entered September 20, 2024.

BY THE COURT:

/s/

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JAMES D. PETERSON  
District Judge